

# BEST AVAILABLE COPY



Attorney's Docket No. BMRS-001

## DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

The residence, mailing address and citizenship are stated below next to my name.

I believe that I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD AND SYSTEM FOR DELIVERING A FRAGRANCE TO MEDICAL APPAREL PACKAGED IN A CONTAINER", the Specification of which:

       is attached hereto; or  
XXXX was filed on March 23, 2004 as United States Application  
Serial No. 10/806,530; and  
       was filed on \_\_\_\_\_ as PCT International Application  
No. \_\_\_\_\_.

I hereby state that I have received and understand the contents of the above-identified Specification, including the claims, as amended by any amendment specially referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 35 U.S.C. 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

\*\*\*\*\*

       I hereby claim foreign priority benefits under Title 35, United States Code, Sections 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

Priority claimed

.....NONE.....  
(Number) (Country) (Day/month/year/filed) Yes No

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XXXX I hereby claim the benefit under 35 U.S.C. 119(e) of the United States Provisional Patent Application(s) listed below:

U.S. Provisional Patent Application Serial No. 60/459,949 filed April 3<sup>rd</sup>, 2003.

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       I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined 37 C.F.R. 156 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

----- None -----

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and, in addition, to act as Agent on my behalf before the competent International Authorities and before the National Authorities for any designated countries in connection with any and all international applications filed or to be filed by the undersigned.

David Prashker  
Registration Number 29,693

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SEND CORRESPONDENCE TO:

David Prashker, P.C.  
P.O. Box 5387  
Magnolia, Massachusetts 01930

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DIRECT INQUIRIES TO THE ATTENTION OF: David Prashker, Esq.

DIRECT TELEPHONE CALLS TO: (978) 525-3794

DIRECT FACSIMILE TRANSMISSIONS TO: (978) 525-3791

DIRECT E-MAIL TRANSMISSIONS TO: bearbonz@earthlink.net

\*\*\*\*\*  
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Full Name of first inventor: Domenic Tommarello

Inventor's Signature:  Date: 3/29/04

Residence: Mars, Pennsylvania

Citizenship: U.S.

Mailing Address: 118 Lost Lake Court, Mars, PA 16046

Full Name of second Inventor: John R. Berkley

Inventor's Signature: 

Date: 3/29/2004

Residence: Bridgewater, Connecticut

Citizenship: U.S.

Mailing Address: 12 Townline Road, Bridgewater, CT 06752

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